



SEVENTH WORLDWIDE AIR TRANSPORT CONFERENCE (ATCONF/7)

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Agenda Item 3: Strengthening regulatory and institutional frameworks

3.2: Enhancing air connectivity through progressive economic and regulatory aviation frameworks for international air transport

CUBA'S RESILIENCE IN THE FACE OF THE ADOPTION OF UNILATERAL AND EXTRATERRITORIAL MEASURES THAT NEGATIVELY AFFECT THE ORDERLY, SAFE, AND SUSTAINABLE DEVELOPMENT OF INTERNATIONAL AIR TRANSPORT

(Presented by Cuba)

EXECUTIVE SUMMARY

This paper aims to inform the international civil aviation community about Cuba's resilience in maintaining the orderly, safe, and sustainable development of domestic and international air transport in the face of ongoing unilateral and extraterritorial measures imposed by the Government of the United States of America, measures that limit air connectivity as a driver of socioeconomic development, trade, tourism, and regional integration; violate the Convention on International Civil Aviation, the Charter of the United Nations, and international law; and hinder the International Civil Aviation Organization (ICAO) initiative "No Country Left Behind" (NCLB).

1. INTRODUCTION

1.1 The Convention on International Civil Aviation (Chicago Convention) forms the basis for the participation of States in international air transport. Article 44 (f) establishes that one of the objectives of ICAO is "to ensure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international air transport enterprises."

1.2 The Sixth Worldwide Air Transport Conference (ATConf/6) addressed in depth the concerns regarding unilateral coercive measures taken by certain States or groups of States that affect air transport services across all areas of civil aviation.

1.3 The International Civil Aviation Organization (ICAO) Resolution A42-26 reiterates, in its Appendix A – Economic Regulation of International Air Transport that the ICAO Assembly urges Member

¹ English and Spanish versions provided by Cuba.

States to avoid adopting unilateral and extraterritorial measures that could affect the orderly, sustainable, and harmonious development of international air transport.

1.4 Since 1992, the United Nations (UN) General Assembly has held votes regarding the need to end the economic, commercial, and financial embargo imposed on Cuba by the Government of the United States of America, a call that has garnered increasing support within the international community. Cuba's latest report, covering the period from March 2025 to February 2026, highlighted the introduction of "maximum pressure" measures, specifically the imposition of an energy blockade on Cuba and a comprehensive scheme of secondary sanctions targeting entities from third countries that maintain investments or commercial ties with Cuban entities; these actions intensify the extraterritorial nature of the imposed measures.

1.5 This year, the UN General Assembly authorized, by a majority vote, the holding of a debate on the need to end the economic, commercial, and financial embargo imposed by the Government of the United States of America against the island.

1.6 Regarding air transport, Cuba's report to the UN General Assembly for the period from March 2025 to February 2026 highlights the significant difficulty in maintaining orderly, safe, and sustainable operations, given the inability to acquire the necessary fuel. In fact, just days after the United States' President's Executive Order of January 29 was announced, Cuba's civil aviation authority was compelled to issue a notice stating that it had become impossible to supply aviation fuel (Jet A-1) at Cuban airports.

1.7 The Executive Order issued on May 1st by the President of the United States also provides for immigration and entry restrictions against individuals whom the United States government deems to have provided material support to the Cuban state. Clearly, this serves as another significant deterrent and intimidation tactic aimed at halting third-party operations involving Cuba. Citing similar concerns, several airlines have announced the suspension of their operations with Cuba.

1.8 The aforementioned examples have had a highly negative impact on the island's air connectivity, a driver of socioeconomic development, trade, tourism, and regional integration. Unilateral and extraterritorial coercive measures of "maximum pressure" prevent international air transport services from being established on the basis of equal opportunity, sound and economical operation, thereby excluding Cuba from ICAO's "No Country Left Behind" strategy.

2. DISCUSSION

2.1 Cuba reaffirms that unilateral and extraterritorial actions hinder the economic and sustainable development of international air transport. They have a particularly significant impact on developing countries, which find it increasingly difficult to secure the resources needed to optimize opportunities, address the challenges inherent in air transport development, and continue meeting the demands placed on the sector. Cuba has consistently raised this issue at recent ICAO Assemblies and at a Council meeting earlier this year, following the implementation of Executive Order 14380, signed by the President of the United States of America on January 29, 2026, which authorizes additional tariffs on goods from countries that supply oil to Cuba.

2.2 As an island nation, Cuba relies heavily on air transport for connectivity with the rest of the world. In this context, restrictions on fuel supplies constitute an indirect form of interference with international civil aviation, with detrimental effects not only for the Cuban state but also for airlines, passengers, third countries, and the overall stability of the global aviation system.

2.3 To sustain the development of air transport, Cuba has had to demonstrate its capacity within the sector to adapt, respond, and modify procedures in the face of unexpected events without compromising operational safety.

2.4 Thanks to the preparedness and professionalism of experts within the Cuban civil aviation system and to international cooperation, particularly within the framework of ICAO's North American, Central American and Caribbean (NACC) and South American (SAM) Regional Offices and their Regional Safety Groups, operational safety risks have been minimized, achieving acceptable safety levels and the effective implementation of critical oversight elements.

2.5 Faced with coercive measures against the airline Cubana de Aviación, which has been unable to secure aircraft lease agreements or access loans from international banks to carry out fleet maintenance and repairs, among other issues, Cuba has had to revise its air transport policy to make it more flexible and ensure the maintenance of air connectivity.

2.6 Air routes involving fifth- and seventh-freedom rights have been authorized, and code sharing agreements and other commercial alliances between airlines have been recognized, in order to maintain connections even with the most distant regions.

2.7 Given the energy blockade, as explained in the introduction to this paper, Cuban aviation has been forced to suspend refuelling services at its airports. In response to this situation, adjustments requested for flight operations are being addressed promptly, whether involving changes to slots, aircraft changes to transport a larger fuel quantity on board, expedited approval of additional operations to transport delayed passengers and baggage, or modifications to standard route rights.

2.8 Fuel supply constraints have forced international air carriers to revise cost sheets for routes to Cuba. In fact, some have had to temporarily suspend operations because the costs are becoming unsustainable.

2.9 To support air carriers, airport service providers have granted incentives, on a non-discriminatory, fair, and equitable basis, to airlines operating at more than one airport in the country or increasing their historical flight frequencies. This enables them to cover the costs of airport services at "intermediate" or "beyond" points where they choose to refuel. Similarly, the air navigation service provider has shown increasing flexibility in approving direct or point-to-point routes to shorten flight paths, thereby minimizing fuel consumption and pollutant emissions.

2.10 Recognizing the importance of the orderly, safe, and sustainable development of international air transport, while simultaneously implementing resilience actions and measures, Cuba has maintained collaboration with the civil aviation authorities of all States in the region.

3. CONCLUSION

3.1 The economic, commercial and financial embargo imposed by the Government of the United States of America against Cuba violates the principles contained in the Preamble to the Chicago Convention, which provides that "international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically".

3.2 Its discriminatory measures violate the standards and precepts of the Chicago Convention, in particular the provisions of Article 44 (a), (c), (d), (f), (g), (h) and (i) setting out ICAO's aims and

objectives, which are to foster the development of international air transport; to meet the needs of the peoples of the world in this respect; to ensure that the rights of contracting States are fully respected; to avoid discrimination among them; and generally to promote the development of all aspects of international civil aeronautics.

3.3 Its measures are a unilateral decision of an extraterritorial nature that is contrary to the spirit of the Convention on International Civil Aviation, the Charter of the United Nations and international law, and it has adverse effects on the development of civil aviation in Cuba, as well as on regional and global air transport.

3.4 ICAO decided to convene the Seventh Worldwide Air Transport Conference (ATConf/7) as a global platform for policy and decision-making that determines measures to improve the economic regulatory environment aimed at fostering the development of a sound and economically viable and affordable civil aviation system. In this regard, through this Information Paper, Cuba also wishes to focus the Conference's attention on the importance of paying full heed to Resolution A42-26, which urges Member States to avoid adopting unilateral and extraterritorial measures that could affect the orderly, sustainable, and harmonious development of international air transport.

3.5 While acknowledging the negative impact on the civil aviation system caused by the disastrous consequences of the economic, commercial, and financial embargo imposed on Cuba by the Government of the United States of America, the country has demonstrated its resilience in maintaining domestic and international air transport services in exceptional situations.

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